

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

HECTOR OMAR SANTOYO,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-05-1253-L
)	
JUSTIN JONES, Director,)	
)	
Respondent.)	

ORDER

This matter is before the court for review of the Supplemental Report and Recommendation entered by United States Magistrate Judge Gary M. Purcell on March 13, 2006. Petitioner, a state prisoner appearing *pro se*, brings this action pursuant to 28 U.S.C. §2254 seeking a writ of habeas corpus. The Magistrate Judge found that the petitioner has now exhausted his state court remedies concerning all of the claims in his habeas petition. The Magistrate Judge recommended that Respondent's Motion to Dismiss Petition for Habeas Corpus as Time Barred by the Statute of Limitations be denied and that Respondent be directed to respond to the petition.

Although petitioner filed a brief objection to the Supplemental Report and Recommendation, the court finds that it consists of petitioner's attempt to clarify certain filing dates, but petitioner does not otherwise object to the recommendations of the Magistrate Judge.

Accordingly, upon *de novo* review, the court finds that the Supplemental Report and Recommendation should be and is hereby adopted in its entirety.

Respondent's Motion to Dismiss [Doc. No. 10] is DENIED. Respondent is directed to respond to the Petition within twenty (20) days of the date of this order. This matter is recommitted to the Magistrate Judge for further proceedings in accordance with the original order of referral.

It is so ordered this 10th day of April, 2006.



TIM LEONARD
United States District Judge